

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:03CR135-3-MU

UNITED STATES OF AMERICA)	
)	
vs.)	<u>ORDER</u>
)	
VEDA PORRECA)	
)	
Defendant.)	
_____)	

This matter is before the court upon its own motion. After post-sentencing argumentation, the Court believes it is necessary for the record to clarify its reasoning concerning a thirty (30) month concurrent sentence issued based on Defendant's probation violation. The Court here clarifies that the issuance of this sentence was based not on a post-Booker analysis or considering the factors listed in 18 U.S.C. § 3553(a), but solely on consideration of the Sentencing Guidelines alone, and treating those Guidelines as mandatory. The record should be should reflect this reasoning.

IT IS SO ORDERED.

Signed: December 5, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

